

MANDATE

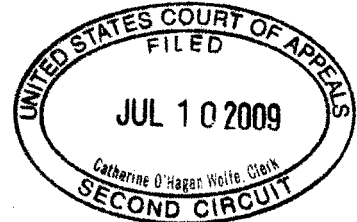
FILED E.D.N.Y.-C Islip
IN CLERK'S OFFICE 06-cr-702
U.S. DISTRICT COURT E.D.N.Y. Bianco, J.

United States Court of Appeals
FOR THE ★ AUG 18 2009 ★
SECOND CIRCUIT
LONG ISLAND OFFICE

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 10th day of July, two thousand nine,

Present:

Guido Calabresi,
Debra Ann Livingston,
Circuit Judges,
Edward R. Korman,*
District Judge.



United States of America,

Appellee,

v.

09-0567-cr

Michael Kelly Reiner,

Defendant-Appellant.

Appellee moves to dismiss this appeal as barred by the waiver of appellate rights contained in Appellant's plea agreement. Upon due consideration, it is hereby ORDERED that the motion is construed as a motion for summary affirmance, and is GRANTED as so construed, because we have concluded that the appeal presents no non-frivolous issues. See *United States v. Monsalve*, 388 F.3d 71, 73 (2d Cir. 2004) (per curiam).

FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk

A TRUE COPY
Catherine O'Hagan Wolfe, Clerk

by [Signature]
DEPUTY CLERK

By: [Signature]

*The Honorable Edward R. Korman, Senior Judge of the United States District Court for the Eastern District of New York, sitting by designation.

SAO-JB

ISSUED AS MANDATE:

8/10/09

MANDATE

EDNY-CINY
08-cr-608
FEVERSTEIN

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

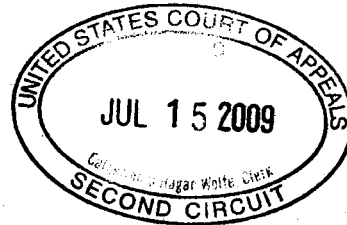
UNITED STATES COURT OF APPEALS ★
FOR THE
SECOND CIRCUIT

AUG 18 2009 ★

LONG ISLAND OFFICE

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 15th day of July, two thousand and nine.

Before: Debra Ann Livingston,
Circuit Judge



United States of America,

Appellee,

v.

Elmer Alvarez-Cruz, also known as Chele,

Defendant-Appellant.

ORDER
Docket No. 09-0490-cr

Counsel for Appellant Elmer Alvarez-Cruz having submitted a letter asking to withdraw the appeal and the Government having submitted a letter confirming that Appellant has been deported,

IT IS HEREBY ORDERED that the appeal is withdrawn with prejudice.

FOR THE COURT,
CATHERINE O'HAGAN WOLFE, Clerk

By: Joy Fallick
Joy Fallick, Administrative Attorney

Catherine

by [Signature]
DEPUTY CLERK

CERTIFIED:

8/10/09